

## REMARKS

Reconsideration of the application in view of the present amendment is respectfully requested.

Claim 1 has also been amended to yet more clearly define the present invention.

The Examiner rejected Claim(s) 1, 2 and 4-8 under 35 U.S.C. §102(a) as being anticipated by Farmerie, U.S. Patent No. 5,212,887 (Farmerie). Claims 9-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farmerie in view of Bednar, et al., U.S. Patent Publication No. US 2001/0034941 (Bednar). It is respectfully submitted that claims 1, 2 and 4-11 are patentable over the cited references.

Specifically, claim 1 recites that:

- (i) the secondary bearing element is a circular ring and has a wall cross-section in a longitudinal direction of the stroke bar that is one of circular, oval and polygon; and
- (ii) the receiving passage [of the housing] has a peripheral bearing groove on an inside periphery for receiving the secondary bearing element.

It is respectfully submitted that the foregoing novel features of the present invention are not disclosed or suggested in Farmerie. Firstly, Farmerie does not disclose a bearing element for mounting bearing means in a receiving passage in the housing. The bearing means (82) of Farmerie is mounted in the passage of the housing (12) by an annular support (84) (column 3, lines 3-6). The O-rings (90 and 92) support the bearing means (82) in the interior of the annular support (84) (column 3, lines 12-14). Further, the receiving passage in the housing (12) has not any grooves for receiving the O-rings. In Farmerie, the O-rings are located between frusto-conical formations (86, 88) and the inner surface of the bracket 84 (annular support). (The sketch of Fig. 2 contained in the Office Action has indicators of bearing groove (?), counter bearing groove (?), insert slot (?), but no grooves can be seen there, and no mention of the grooves can be found in Farmerie. Farmerie discusses receiving "spaces" (column 3, line 10). And what insert slot should mean?). Finally, the O-ring located between a frusto-conical formation and an inner surface of the bracket 24, would not have circular, oval or polygon cross-sections.

A rejection based on U.S.C. § 102 as in the present case, requires that the cited reference disclose each and every element covered by the Claim. Electro Medical Systems S.A. v. Cooper Life Sciences, 32 U.S.P.Q. 2d 1017, 1019 (Fed. Cir. 1994); Lewmar Marine Inc. v. Barent Inc., 3 U.S.P.Q. 2d 1766, 1767-68 (Fed. Cir. 1987); Verdegaal Bros., Inc. v. Union Oil Co., 2 U.S.P.Q. 2d 1051, 1053 (Fed.

Cir. 1987). The Federal Circuit has mandated that 35 U.S.C. § 102 requires no less than “complete anticipation . . . [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim.” Connell v. Sears, Roebuck & Co., 220 U.S.P.Q. 193, 198 (Fed. Cir. 1983); See also, Electro Medical Systems, 32 U.S.P.Q. 2d at 1019; Verdegaal Bros., 2 U.S.P.Q. 2d at 1053.

It is respectfully submitted that Farmerie does not disclose a saw as claimed. Since Farmerie fails to disclose each and every feature of independent Claim 1, Farmerie, as a matter of law, does not anticipate the present invention, as defined by said independent claim.

In view of the above, it is respectfully submitted that Farmerie does not anticipate or make obvious the present invention as defined in Claim 1, and the present invention is patentable over Farmerie.

Claims 2 and 4-11 depend on claim 1 and are likewise allowable.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order

to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

Alexander Zinchuk

Alexander Zinchuk, Reg. No. 30,541

Dated: July 31, 2006

Abelman, Frayne & Schwab  
666 Third Avenue, 10th Floor  
New York, NY 10017-5621  
212-885-9383

This correspondence is being deposited with the United States Postal Service on July 31, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 059 675 952 US addressed to the Honorable Commissioner for Patents, Alexandria, VA 22313-1450.

Alexander Zinchuk

Alexander Zinchuk